

Notice of Allowability

Application No.

10/765,988

Examiner

Zachary C. Tucker

Applicant(s)

CIPRIAN ET AL.

Art Unit

1624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12 December 2005.
2. ☒ The allowed claim(s) is/are 1-3 and 5-17.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 18Jun04
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

JAMES O. WILSON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1600

Response to Amendment

As requested in the correspondence filed 12 December 2005, from applicants (hereinafter "present amendment"), which is in response to the Office action mailed 20 September 2005 (hereinafter "previous Office action"), claims 1, 5, 6, 8, 10 and 11 have been amended and claim 4 cancelled.

Status of Claim Rejections - 35 USC § 112

In the previous Office action, claims 1-17 were rejected under 35 U.S.C. 112, second paragraph, for various instances of indefinite claim language.

Claim 4 has been cancelled, rendering moot the rejection of that claim.

In view of the present amendments to the claims, the rejections are withdrawn. Applicants' counsel has followed suggestions put forth by the examiner. With regard to instant claim 14, the additional ground of rejection of that claim, for indefiniteness of the term "regenerated," is hereby withdrawn in view of applicants' argument and the accompanying translated definition of the term "regeneration" from Römp Chemie Lexikon, supplied with the response to the Office action. The definition provided in that chemical dictionary makes clear that one of ordinary skill understands the term "regenerated" with respect to an adsorbent to signify the removal of adsorbed substances therefrom.

Allowable Subject Matter

Claims 1-3 and 5-17 are allowed.

The closest prior art, commonly assigned US 6,552,194 (Lang et al), teaches some different solvents as TEDA quench liquids, and suggests that polyhydric alcohols

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could be employed as quench liquid. A rejection under 35 U.S.C. 103(a) is precluded, however, based on Lang et al, because of the provisions of 35 U.S.C. 103(c), when the patent is commonly assigned.

Also, close prior art with respect to the inventive process comes from US 4,233,447 (Nieh and Keating), which teaches a process for purifying TEDA, in which a liquid lower alkylene diol is employed as a solvent. The crude TEDA is added to the alcohol as a *liquid* crude reaction product mixture, not in gaseous form, as required by the instant claims. Additionally, no teaching of any adsorbent treatment is found in the Nieh and Keating patent.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

All Post-Allowance Correspondence concerning this application must be mailed to:

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Or you can fax them to the Office of Patent Publications at 703-872-9306, in order to expedite the handling of such correspondence as amendments under 37 CFR 1.312; information disclosure statements, and formal drawings. Sending Post-Allowance papers to Technology Center 1600 will only cause delays in matching papers with the case.

For information concerning status of correspondence sent after receipt of the Notice of Allowance, please contact the Correspondence Branch at (703) 305-8027. The Notice of Allowance also has an insert containing contact information on other items, including Issue Fees, receipt of formal drawings and the status of the application.

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